

U.S. Patent Application No. 10/537,001
Amendment After Final dated July 16, 2007
Reply to Final Office Action of March 16, 2007

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REMARKS/ARGUMENTS

Reconsideration and continued examination of the above-identified application are respectfully requested.

In the amendment, all claims have been canceled except for claim 37, which has been indicated as allowed by the Examiner. Entry of this amendment is respectfully requested. The amendment does not raise any new questions of patentability or necessitate any further searching since the claims have been now limited to allowed subject matter.

Rejection of Claims 26, 33, and 34 under 35 U.S.C. §102(a)

At page 3 of the Office Action, the Examiner maintained the rejection of claims 26, 33, and 34 under 35 U.S.C. §102(a), as being anticipated by Jimbo et al. (Molecular Medicine, 2002). This rejection is respectfully traversed.

While applicants do not agree with the Examiner's rejection, these rejected claims have been canceled by way of this amendment. The applicants reserve the right to pursue this subject matter in one or more continuation applications and/or divisional applications. Accordingly, this rejection should be withdrawn.

Rejection of Claim 26 under 35 U.S.C. §102(e)

At page 4 of the Office Action, the Examiner has maintained the rejection of claim 26 under 35 U.S.C. §102(e) as being anticipated by Drmanac et al. (U.S. 2003/0073623). This rejection is respectfully traversed.

While applicants do not agree with the Examiner's rejection, this rejected claim has been canceled by way of this amendment. The applicants reserve the right to pursue this subject

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matter in one or more continuation applications and/or divisional applications. Accordingly, this rejection should be withdrawn.

Rejection of Claims 26, 33, and 34 under 35 U.S.C. §103(a)

At page 5 of the Office Action, the Examiner has maintained the rejection of claims 26 and 33-34 under 35 U.S.C. § 103(a) as being unpatentable over Kawasaki et al. (Science, 2000, 289:1194-97) in view of Fire et al. (U.S. 6,506,559 B1) and Costa et al. (U.S. 2003/0157531 A1). This rejection is respectfully traversed.

While applicants do not agree with the Examiner's rejection, these rejected claims have been canceled by way of this amendment. The applicants reserve the right to pursue this subject matter in one or more continuation applications and/or divisional applications. Accordingly, this rejection should be withdrawn.

Rejection of Claim 33

At page 7 of the Office Action, the Examiner states that claim 33 is a substantial duplicate of claim 26. While the Examiner does note that claim 26 recites the alternative language directed to "antisense inhibition on the expression of the gene," the Examiner suggests that this distinction is merely "a slight difference in wording." This rejection is respectfully traversed.

While applicants do not agree with the Examiner's rejection, these rejected claims have been canceled by way of this amendment. The applicants reserve the right to pursue this subject matter in one or more continuation applications and/or divisional applications. Accordingly, this rejection should be withdrawn.

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Rejection of Claim 38 under 35 U.S.C. §112, first paragraph

At page 7 of the Office Action, the Examiner states that claim 38 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner states that the claimed pharmaceutical composition must be enabled for *in vivo* pharmaceutical therapeutics. This rejection is respectfully traversed.

While applicants do not agree with the Examiner's rejection, this rejected claim has been canceled by way of this amendment. The applicants reserve the right to pursue this subject matter in one or more continuation applications and/or divisional applications. Accordingly, this rejection should be withdrawn.

Rejection of Claims 1 and 42 under 35 U.S.C. §112, second paragraph

At page 11 of the Office Action, the Examiner states that claims 1 and 42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner asserts that there insufficient antecedent basis for the limitation "the RNA interference" in claim 1. This rejection is respectfully traversed.

While applicants do not agree with the Examiner's rejection, these rejected claims have been canceled by way of this amendment. The applicants reserve the right to pursue this subject matter in one or more continuation applications and/or divisional applications. Accordingly, this rejection should be withdrawn.

CONCLUSION

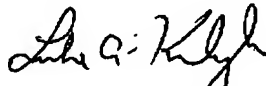
In view of the foregoing remarks, the applicant respectfully requests the reconsideration of

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this application and the timely allowance of the pending claims.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,



Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No. 3190-078
KILYK & BOWERSOX, P.L.L.C.
400 Holiday Court, Suite 102
Warrenton, VA 20186
Tel.: (540) 428-1701
Fax: (540) 428-1720